

**AUBURN CITY COUNCIL  
REGULAR SESSION AGENDA**

City Hall, Council Chambers  
1225 Lincoln Way, Auburn, CA 95603

**January 9, 2006**

**Closed Session 5:45 p.m.**

**Regular Session 6:00 p.m.**

*Meeting facilities are accessible to persons with disabilities. Requests for Assistive Listening Devices or other considerations should be made through the City Clerk's Office at (530) 823-4211, Ext. #112*

**CALL TO ORDER  
ROLL CALL**

By **MOTION** adjourn to a closed session under Government Code Section 54957.6:

**CONFERENCE WITH LABOR NEGOTIATORS**

Agency Designated Representatives: David Mackowiak, Robert  
Richardson

Employees Organization: Auburn Firefighters Association

**REPORT OUT OF CLOSED SESSION**

**PLEDGE OF ALLEGIANCE**

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/  
ANNOUNCEMENTS**

**AGENDA APPROVAL**

This is the time set aside for council members and/or the public to ask for removal, postponement or a change to the listed sequence of an agenda item.

**CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine in nature and will be approved by one blanket motion with a roll call vote.

There will be no separate discussion of these items unless persons request specific items to be removed from the Consent Calendar for discussion and separate action. Any items removed will be considered after the motion to approve the Consent Calendar.

1. **Minutes**

By **MOTION** approve City Council Minutes of November 28, 2005.

2. **Engineering Services for the Development of the Stormwater Ordinance to Meet the Goals of NPDES Permit**

By **RESOLUTION** authorize the Director of Public Works to execute a consulting contract between the City of Auburn and Larry Walker Associates for engineering services related to the Stormwater Ordinance.

3. **Permission to Advertise for the Construction of the Agard/Oakwood/High Street Intersection Signal Project**

By **MOTION** grant permission to advertise for the construction of the Agard/Oakwood/High Street Signal.

4. **Approval of Consent by Lessor of Real Property with Respect to Loan by Wells Fargo Bank to Flyers, LLC**

By **RESOLUTION** approve and authorize the City Manager to execute the Consent by Lessor of Real Property Agreement

5. **Addendum to the APOA Memorandum of Understanding**

By **RESOLUTION** approve the Addendum to the Memorandum of Understanding between the Auburn Police Officers Association and the City and authorize the City Manager to sign on behalf of the City of Auburn.

6. **Approval of Salary Schedule Changes for the Fire Department Battalion Chief's Salary Schedule**

By **RESOLUTION** approve base increases to the Salary Schedule for the Fire Department Battalion Chief classification by three percent (3%) retroactive to July 1, 2005 and an additional three percent (3%) retroactive to January 1, 2006.

7. **Ordinance Authorizing City Manager to Sign Contracts-1<sup>st</sup> Reading**

By **MOTION** waive full reading and introduce the **ORDINANCE** for first reading.

8. **Lawson Vicious Dog Hearing Final Report**

Accept any testimony as required under the Brown Act, and by **MOTION** adopt the hearing officer's final report.

9. **Recognition for Dedicated Services**

By **RESOLUTION** declare as surplus the duty weapon previously issued to retired Chief of Police, Nicholas S. Willick.

\*\*\*\*\* End of Consent Calendar \*\*\*\*\*

10. **Public Comment**

This is the time provided so that persons may speak to the Council on any item not on this agenda. Please make your comments as brief as possible. The Council cannot act on items not included on this agenda; however, the items will be automatically referred to staff.

**PUBLIC HEARING**

11. **Appeal Design Review Permit and Tree Permit – 373 Elm Avenue (Elm Plaza)-Files DRP 05-1 and TP 05-1-Appellant Paul Hillesheim**

**COUNCIL ACTION**

Staff recommended approval of the project, however the Planning Commission denied the proposed Design Review Permit and Tree Permit on December 20, 2005. The Planning Commission, therefore, recommends that the City Council take the following actions:

- A. Move to deny the Mitigated Negative Declaration for the Elm Plaza project.
- B. Move to deny the Design Review Permit (File DRP 05-1) and Tree Permit (File TP 05-1) for the Elm Plaza project based on the following:
  - 1. The massing on the edges of the building is too high.
  - 2. The roof should be brought down.
  - 3. The parking lay-out needs to be reviewed due to the angled spaces.
  - 4. Parking stalls with 12% cross slopes project into the drive

aisle and affect vehicle turning movements.

**Alternative Motion (Approval)**

- A. By Motion, adopt the following findings of fact for the Mitigated Negative Declaration for the Elm Plaza project:
  - 1. The City Council, on the basis of the whole record before it (including the initial study and any comments received) finds that there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.
  - 2. All documents and materials relating to the proceedings for the Elm Plaza project are maintained in the City of Auburn City Clerk's Office, 1225 Lincoln Way, Auburn, CA 95603.
  - 3. The City Council has determined that mitigation measures have been identified in the Mitigated Negative Declaration, which mitigates all potentially significant impacts to a less than significant level. The City Council adopts with this motion the Mitigation Monitoring and Reporting Plan (Exhibit K of this report) and specifically finds that all mitigation measures identified in the Mitigated Negative Declaration have been incorporated in the MMRP and that these measures have been agreed to by the applicant and are fully enforceable through CEQA and applicable City Ordinances.
- B. By **MOTION**, adopt the Mitigated Negative Declaration for the Elm Plaza project.
- C. By **MOTION**, approve the Design Review Permit (File DRP 05-1) for the Elm Plaza project subject to the conditions listed in [Exhibit A](#) (or as modified by the City Council).
- D. By **MOTION**, adopt the following findings of fact for the Tree Permit (File TP 05-1) for the Indian Hill Office Park:
  - 1. Approval of the tree permit will not be detrimental to the public health, safety, or welfare;
  - 2. Approval of the tree permit is consistent with the provisions of the Tree Ordinance; and
  - 3. Measures have been incorporated in the project or the permit to mitigate impacts to remaining trees or to provide replacement for trees removed.

- E. By **MOTION**, approve the Tree Permit (File TP 05-1) for the Elm Plaza project subject to the conditions listed in [Exhibit A](#) (or as modified by the City Council).
- 12. **General Plan Amendment and Ordinance Amendment (Separated Sidewalks) – Files GPA 05-1; QA 05-1**
  - A. By **MOTION** provide staff with direction on revisions to the draft ordinance and the draft resolution relating to separated sidewalks (aka parkways).
  - B. By **MOTION** direct staff to prepare a resolution to adopt the city map identifying streets within the city that are prime candidates for the implementation of parkways.

## **REPORTS**

### 13. **City Council Committee Reports**

The purpose of these reports is to provide information to the city council and public on projects and programs that are discussed at committee meetings. **No decisions are to be made on these issues.** If a council member would like formal action on any of these discussed items, it will be placed on a future city council agenda.

## **COUNCIL BUSINESS**

### 14. **Planning Commission Appointment**

By **RESOLUTION** confirm the Planning Commission appointment of Nicholas Kosla by Mayor Mike Holmes.

### 15. **Update on the Sierra Nevada Conservancy Headquarters Selection Process**

By **MOTION** pursue the recruitment of the Sierra Nevada Conservancy Headquarters in Auburn.

### 16. **Mayoral Appointments to Council Committees, Commissions, Task Forces and Boards**

Mayor Mike Holmes will provide each member of the City Council with new assignments for the Calendar Year 2006.

### 17. **Request to Submit Letter to Bureau of Reclamation**

Review letter to Bureau of Reclamation and provide direction to staff.

**ADJOURNMENT**

Adjourn to meeting of Auburn Urban Development Authority.